

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOSHUA SCOTT,

Petitioner,

v.

REED RICHARDSON, Warden,
Stanley Correctional Institution,

Respondent.

ORDER

19-cv-986-wmc

Joshua Scott, an inmate at the Stanley Correctional Institution, has filed a motion seeking “conditional early release” from a prison sentence imposed by the Milwaukee County Circuit Court for Scott’s conviction of second-degree reckless injury. The motion, which the court construes as a writ of habeas corpus, must be denied. This court has no power to release a state prisoner from a state court sentence unless the prisoner shows that he is in custody “in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254(a). Petitioner makes no such claim: he merely argues that he is entitled to early release because he is rehabilitated and not likely to reoffend. This is a matter solely for the Wisconsin courts to decide. Accordingly, Scott’s application for a writ of habeas corpus is DENIED for its failure to state a cognizable constitutional claim.

Entered this 2nd day of March, 2020.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge